THE VIRGINIA GAZETTE, AND GENERAL ADVERTISER.

RICHMOND—PRINTED (EVERY WEDNESDAY AND SATURDAY) BY AUGUSTINE DAVIS, AT FOUR DOLLARS PER ANNUM—PAID IN ADVANCE.

No. 1158.] WEDNESDAY, APRIL 4, 1804. [VOLUME XVIII.

THE NATIVE ARABIAN HORSE,

THE DEY OF ALGIERS,

TO give an opportunity to the gentleman of the turf in Virginia to obtain the valuable mixture of Arabian blood amongst their ſtock—will ſtand the enſuing ſeaſon (to commence on the 1ſt of March and end the 10th of Auguſt,) at Mr. Tayloe's, Gwinfield Farm, near Tappahannock, on Rappahannock River, and will be let to mares at the very low price of TEN DOLLARS the leap, or TWENTY FIVE DOLLARS the ſeaſon, or FORTY DOLLARS to inſure a Mare being with Foal, and a Dollar to the Groom in either caſe; the leap money to be paid at the Stable door, and good promiſſory notes payable on the 10th of Auguſt for the ſeaſon, muſt be ſent with the Mares.

THE DEY OF ALGIERS is an elegantly formed Horſe, poſſeſſing both beauty and ſtrength; moſt of his points are equal, and ſome of them very ſuperior to any Horſe on the continent; his colts are in high eſtimation for their bone, ſize and form; he is fully fourteen hands two inches and a half high, a height by no means uſual in the genuine Arabian race; his colour is nearly white, with a few brown ſpots daſhed over his neck and ſhoulders; he is of fine preſence and carriage; remarkably vigorous and active, and a very ſure foal getter. This beautiful animal was procured from Arabia, in the year '98, at four years old, by the late Grand Bailiff Fromm of Pruſſia, and brought to Fehr Bellen in that kingdom, where he was purchaſed after the Bailiff's death, and at the ſale of his ſtud in '99, by Lieutenant General Frederick, Baron of Diemar, by whom he was ſold to Col. Swan of Maſſachuſetts, then in Europe, and by him ſhipped from Hamburgh to Boſton to General Jackſon of that city, who ſent him in the beginning of 1802 to General Maſon of the diſtrict of Columbia. to atteſt which, and to prove the origin of this Horſe, ſatisfactory certificates are in my hands and open to the inſpection of all.

Paſturage gratis—but no reſponſibility for accidents or eſcapes, though the greateſt attention will be paid to prevent either, by

E. Beasley,

Manager for John Tayloe, Eſq. at Gwinfield.

Virginia—to wit:

At a Chancery District Court, held in the city of Williamsburg, 23d day of July, 1803.

Benjamin Kidd, Plaintiff,

AGAINST

Thomas Crittenden and Jane Crittenden, Defendants.

THE defendant Thomas Crittenden not having entered his appearance and given ſecurity according to the act of aſſembly and the rules of this court, and it appearing to the ſatisfaction of the court that he is not an inhabitant of this country: On the motion of the plaintiff by his counſel, It is ordered, that the ſaid defendant do appear here on the firſt day of April term next, and anſwer the bill of the plaintiff; and that a copy of this order be forthwith inſerted in ſome newſpaper of the city of Richmond for two months ſucceſſively, and poſted at the front door of the former Capitol in this city.

A Copy,

Anth'y. Robinson, c. c.

MY HORSE

DION,

WILL ſtand at Mr. Benjamin Chambers's, Perſon county, [North-Carolina] 25 miles from where I live, and will cover mares at FIVE GUINEAS the ſeaſon, payable with TWENTY DOLLARS, by the firſt of Auguſt.

John Nelson.

Mecklenburg Feb. 20, 1804.

At a Court held for Albemarle county, the 6th day of February, 1804,

George Boston, Plaintiff,

AGAINST

John Boston, and *James Boston*, adminiſtrators of *Ewell Boston*, deceaſed, Defendants. } In Chancery.

THE defendant John Boſton not having entered his appearance and given ſecurity according to the act of aſſembly and the rules of this court, and it appearing to the ſatisfaction of the court, that he is not an inhabitant of this ſtate: On the motion of the plaintiff by his counſel, it is ordered, that the ſaid defendant do appear here on the firſt Monday in May next and anſwer the bill of the plaintiff; and that a copy of this order be forthwith inſerted in ſome public newſpaper in this commonwealth for two months ſucceſſively, and poſted at the front door of the courthouſe of the ſaid county.

A Copy—Teſte,

John Nicholas, C. A. C.

Stafford Gibbs,

TAYLOR,

RESPECTFULLY informs his Friends and the Public, that he has removed his ſhop one door above the City Hotel, where he intends carrying on the buſineſs in all its branches. He hopes by his ſtrict attention, to merit the patronage of all thoſe who may favor him with their cuſtom.

Richmond, March 27, 1804. 12awtf.

Blank Bonds

For ſale at this office.

The celebrated English Horſe

STIRLING,

HAS been adverti ſed ſeveral years as a ſtallion, and his pedigree and performance have been fully ſtated: Suffice it now to ſay, that he is among the handſomeſt and beſt bred Horſes in America, and that he won eleven races out of twelve, againſt the beſt horſes of the day; even the famous horſe Hamiltonian paid him a forfeit of 500 guineas. STIRLING's ſtock are generally large and handſome, with fine action, and likely to make capital racers.

STIRLING will ſtand the enſuing ſeaſon at my ſtable in the county of Greenſville, ten miles from Belfield, and will cover mares at Three Guineas and a half the leap, (to be paid at the ſtable door) and 7 Guineas the ſeaſon, which may be diſcharged any time before the firſt day of Auguſt next, by the payment of Five Guineas. Mares inſured (if required) at Ten Guineas, but if parted with the inſurance money forfeited, with one dollar to the Groom in every inſtance. Good paſturage, and ſervants who bring 4 mares, boarded gratis; others at 10s6 per week. Grain furniſhed at the market price, for which the money muſt be ſent. The greateſt attention paid to the mares; but no reſponſibility for accidents or eſcapes. Notes for Seven Guineas (to be diſcharged as above mentioned) muſt accompany the mares. The ſeaſon will commence the firſt day of March next, and end the firſt of Auguſt following.

Nathaniel Rives.

February 15th, 1804. 12awtf.

P. S. All mares producing a certificate of their having won a purſe or ſweepſtake of 200 dollars value, four mile heats, or bred the winner of one, ſhall be covered gratis. N. R.

THE ſubſcriber, according to a former advertiſement, now gives notice, that on Saturday the 4th day of April next, at 12 o'clock, on the premiſes, he will offer to public SALE,

A NUMBER OF

LOTS,

interſected by commodious ſtreets, croſſing at right angles, running due north and ſouth, by eaſt and weſt, agreeably to a plan depoſited at Mr. Samuel Pleaſants's office.

This land lies upon the margin of James river, and adjacent to that part of Richmond, called Rocketts The advantages of this property will preſent themſelves to any perſon who will view it. The channel runs very near the bank, and that ſo high as to be entirely ſafe from freſhes. Valuable wharves are already erected near this ſpot, and there can be no doubt that the rapid increaſe of population and commerce of Richmond will render it deſirable, both as a place of reſidence, and of buſineſs. It is known that the canal which has been accompliſhed at a conſiderable expence, and muſt ſhortly be communicated with tide water, and the improvements for land carriage, afford the means of conveying to this place the productions of an extenſive and fertile country, heretofore carried to the northern markets for want of theſe facilities; and if properly managed, muſt make it the important point of junction betwixt the eaſtern and weſtern people, as well a depot as a market for produce, coal and foreign merchandize.

The legiſlature have lately incorporated a company for deepening the channel of the river, ſo as to bring ſhips of 300 tons burthen, to Rocketts.—And have alſo eſtabliſhed a bank on extenſive principles which muſt greatly increaſe commercial enterprize.

Theſe important conſiderations contribute to render the property now offered for ſale, an object of attention to the landlord, merchant and mechanic.

The terms of ſale will be one fourth for approved notes at 60 days the reſidue on bond, payable the 1ſt January next, to carry intereſt if not paid punctually, and no title made until the bond ſhall be diſcharged. A diſcount of 6 per cent. on the laſt payment will be allowed for ready money.

William Mayo.

Powhatan, February 24, 1804.

THE ſubſcriber is yet deſirous to ſell his valuable tract of LAND, lying in the upper end of Powhatan county, on both ſides of Deep Creek; being 12 miles from Carterſville, 2 from Appamattox River, leſs than one from the great Buckingham road, and 42 from Manchester. The county is well regulated by its police, and ſociable in the manners of its inhabitants.

To theſe local advantages may be added, that the ſoil is fertile and well adapted to the culture of tobacco, grain and graſs; the manſion place healthy, with dwelling and other houſes to accommodate a large family.

It is ſuppoſed to contain 1500 acres, of which 300 are valuable low grounds, 100 reclaimed for cultivation, and the reſt under heavy timber.

Little more need be ſaid to thoſe inclined to poſſeſs a landed eſtate, of eaſy acceſs to Richmond and Peterſburg by the Turnpike and Navigation.

This land will be laid off in two or three convenient lots, and offered to public ſale at Powhatan May court, being the 16th, at 12 o'clock, for 1-4 payable at Chriſtmas next, when poſſeſſion will be given; the remainder in three equal annual payments, to carry intereſt from the time of poſſeſſion, with approved perſonal and real ſecurity.

The land and propoſed diviſions will be ſhewn by Mr. David Maxey, on the premiſes.

Wm. MAYO.

Henrico, March 15th, 1804. 1awtds.

I wiſh to diſpoſe of my

LOT AND HOUSES,

IN this city. Young Negroes, at a liberal valuation, will be received in part; and conſiderable credit given for the balance of the money.

BENJ. MOSBY.

March 2, 1804.

The noted Horſe

WILDAIR,

A FINE bay, about fifteen hands and one inch high, will ſtand to cover mares the enſuing ſeaſon, alternately at the ſubſcriber's ſtable, in the forks of Hanover, and at Hanover courthouſe; at the laſt mentioned place on Wedneſdays and Thurſdays, unleſs early in the ſeaſon he ſhould on Thurſdays be carried to ſome public place or meeting to be ſhewn.

The price of the ſeaſon will be Ten Dollars, payable the firſt of December next; but may be diſcharged with Seven Dollars, if paid by the firſt of September enſuing; for the leap, Four Dollars will be required, to be paid when the mares are covered and in either caſe One Shilling and Sixpence to the groom—The ſeaſon will expire the firſt of Auguſt.

The mares ſent to the horſe while ſtanding at the ſubſcriber's, good and extenſive paſturage will be furniſhed, *gratis*; but no liability for eſcapes or accidents of any kind.

WILDAIR's colts juſtly entitle him to be ranked among the beſt horſes—He was got by Col. Syme's Wildair, his dam by Handell, his grand dam by Camden, his great grand dam by Spanking Roger, and his great, great grand dam by Old Jolly Roger.

John Thornton, ſen.

Forks of Hanover, Feb. 18th, 1804.

The Broad-Rock Jockey Club Races

WILL commence on Tueſday the 8th day of May, and will continue four days. The firſt day the Jockey Club Purſe of 400 dollars, 4 mile heats; 2d day, the Proprietor of the Field's Purſe of 200 dollars, 3 mile heats; the 3d day, the Jockey Club Cup of 100 dollars value, 2 mile heats, free for all ages; no perſon permitted to ſtart for the Cup but members of the Club, and for their only benefit. The 4th day, a Sweepſtakes for 4 years old Colts and Fillies, 2 mile heats—Entrance 100 dollars, half forfeit. The ſubſcription to cloſe on the 15th day of April; 4 ſubſcribers, or no race. The weights and rules for theſe races are agreeably to the Richmond Jockey Club Rules—Weights as below.

Aged Horſes,	133lbs.	
6 *years old*,	128	*Mares and Geldings allowed 3lbs.*
5 *years old*,	112	
4 *years old*,	106	
3 *years old*,	99	

The treaſurer requeſts the members of the Club to be pointed in paying up their ſubſcriptions on or before the day of running.

Thomas Cheatham, *Treaſurer.*

☞ The members of the Club are requeſted to meet at the Broad-Rock Courſe the day preceding the Jockey Club Purſe, at 4 o'clock in the evening, for the purpoſe of making ſome regulations for the different days running.

March 29th, 1804.

FAMILY FLOUR.

A CONSTANT ſupply of FLOUR, of a ſuperior quality, for family uſe kept for ſale by

GEORGE WATT.

Richmond, March 5, 1804. tf.

Foreign Intelligence.

LONDON, Feb. 15.

The ſtate of His Majeſty's Health at ſo important a criſis muſt occaſion conſiderable embarraſſment in public buſineſs. On Tueſday evening there was a meeting of the Cabinet Council, who ſat from eight o'clock till three in the morning.

Another Council met laſt night at eight o'clock at Mr. Addington's houſe in Downing-ſtreet, which was attended by Mr. Addington, the Lord Chancellor, the three Secretaries of State, the Duke of Portland, the Earl of Chatham, the Earl of Weſtmoreland, &c. They were left ſitting at midnight, when this paper went to preſs.

Yeſterday, likewiſe, there was a conſultation of the moſt eminent Phyſicians on His Majeſty's caſe. Nothing has tranſpired of the iſſue of their deliberations. Of the nature of His Majeſty's complaint very little is known. The general report is that it is dropſical, attended at preſent by a fever.

It will be extremely neceſſary for Miniſters to employ uncommon vigilance in watching the movements of the enemy, who, imagining that his Majeſty's illneſs muſt create much confuſion in our Government, may chuſe this as the moment for ſome deſperate attempt. Indeed the illneſs of His Majeſty, while the country is in the hands of Mr. Addington, gives riſe to the moſt ſerious reflections.

Yeſterday about one thouſand Perſons of Diſtinction left their names, and made inquiries after his Majeſty's health.

Yeſterday official notice was given, that inquiries after his Majeſty's health were not to be made at the Queen's houſe this day, but at St. James's Palace, between the hours of twelve and three.

Yeſterday the anſwers to the inquirers after the Prince of Wales's health were—"His Royal Highneſs is better but very weak."

February 17.

We have great ſatisfaction in laying before our readers the Bulletin of this morning, which imparts a ray of hope that his Majeſty's diſorder may take a favourable turn.

"His Majeſty has had ſeveral hours ſleep, and appears refreſhed by it.

(Signed) "F. MILLMAN.

"Feb. 17, 1804. "W. HEBERTIN."

The ſtatement which we made yeſterday, we have every reaſon to believe to have been perfectly correct. Some of the papers of this day preſume to contradict one part of it, but when they become better informed, they will find that we were right, and that they are wrong.

His Majeſty's legs, it is added, had become ſo ſwelled, that they underwent the operation of ſcarification. We are led to hope that it has contributed to amelioriate his Majeſty's ſituation.

The ſame numerous inquiries that were made yeſterday, were this day repeated, and will no doubt be continued till our gracious and truely beloved King is reſtored to the fervent and anxious wiſhes of his ſympathizing People.

Her Majeſty's affliction is ſo great, that apprehenſions are entertained that it may affect her valuable health. The Princeſs are unremitting in their dutiful attention to their Royal Mother, and the Royal Dukes paſs ſeveral hours at Buckingham Houſe every day. We are happy to learn that his Royal Highneſs the Prince of Wales is pronounced to be recovered. It will only require a little care to reſtore him to the complete poſſeſſion of his uſual high health, and which is ſo eſſential to the nation at a criſis like the preſent.

The Lord in waiting, Lord Somerville, attends daily in the Levee Room at St. James's, to receive the nobility and gentry, and ſatisfy their anxious inquiries. Thoſe who do not write their names on the ſlips of paper, leave their cards with the pages, and ſome ſatisfy themſelves with inſpecting the Bulletin ſhewn by the Yeomen Porter at the top of the ſtairs.

The Cabinet Council ſat again laſt night at the Houſe of the Chancellor of the Exchequer in Downing-ſtreet, and continued ſitting till the morning.—Sir Lucas Pepys, we believe attended it. No communication was made yeſterday to Parliament, as was expected. One is looked for to day, but perhaps as a favourable ſymptom has appeared ſince yeſterday, it may be judged prudent to defer it till Monday.

A general opinion ſeems to prevail, that when Bonaparte hears of the calamity with which this Country is afflicted in the ſerious indiſpoſition of its revered Monarch, he will judge it a proper time to make his long-threatened attempt at Invaſion.—The conjecture is certainly not an improbable one; but if he does make the attempt of this we are confident that every man in the Kingdom will feel an additional ſtimulus, if one were neceſſary, from the very circumſtance of our common calamity, to unite hand and heart in the National Defence.—Every Volunteer would be found at his poſt, and every man capable of bearing arms would ruſh forward in defence of a beloved Sovereign, endeared to his People by every tie and every feeling that can touch and intereſt the human heart.

No other bulletin was iſſued yeſterday after the one we laid before our readers, and indeed it is a fixed arrangement, that but one will be iſſued in the courſe of every 24 hours. To all inquiries made at St. James's in the courſe of the evening, and they were extremely numerous, the anſwer was that his Majeſty continued the ſame as in the morning.

The Cabinet Council which ſat at Mr. Addington's yeſterday, was attended by his Royal Highneſs the duke of Gloucester. The Council broke up ſoon after four o'clock.

We underſtand, that at the recommendation of the Cabinet Council, Sir Lucas Pepy's and Dr. Reynolds were called in to attend His Majeſty, and thoſe Gentlemen accordingly attended His Majeſty yeſterday, and met Sir Francis Milliman and Dr. Heberden, and had a conſultation at the Queen's Houſe, and the whole of thoſe Gentlemen continued their viſits to His Majeſty during the day.

Laſt night, about eight o'clock, the Duke of York had an interview with Mr. Addington, at his houſe in Downing-ſtreet.

It was yeſterday very generally expected that Miniſters would laſt night make ſome communication to both Houſes of Parliament, reſpecting the ſtate of his Majeſty's health, but it is now underſtood, that Miniſters, wiſhing to aſcertain the preciſe nature of his Majeſty's diſtemper, and whether it is likely to be of a lingering nature or otherwiſe, have poſtponed this communication to Monday or Tueſday next. Mr. Fox, Mr. Pitt, and ſeveral other diſtinguiſhed members were preſent.

If on Monday it appears that his Majeſty's health is ſuch as to juſtify an opinion of his ſpeedy recovery, it is underſtood to be the intention of Miniſters to propoſe, that both Houſes ſhould adjourn for ſome ſhort time. The reports reſpecting the nature of the malady under which his Majeſty labours are various; but we have already touched upon the ſubject, and what we have ſaid is ſufficient.

His Majeſty in the courſe of yeſterday morning enjoyed much refreſhing ſleep, and was better; and, we underſtood, afterwards partook of ſome refreſhment. His Majeſty's pulſe, which we underſtand was on Thurſday night at 110, had yeſterday morning ſubſided, in conſequence of the repoſe which he had enjoyed (the firſt for ſeveral nights,) to 80.

It was in conſequence of this happy change, it is ſuppoſed, that no communication was yeſterday made to either Houſe of Parliament, as had been generally and confidently expected.

The Bulletin was not delivered out quite ſo early this day as yeſterday, and the crowd of Nobility and Gentry, waiting with anxiety at St. James's, to learn the ſtate of his Majeſty's health, was, if poſſible, greater than on any preceding day ſince his indiſpoſition.

It muſt rejoice every loyal heart to be informed, that our beloved ſovereign is now conſidered to be in no danger. We may, therefore, indulge a fond hope that in few days His Majeſty will be reſtored to his wonted health.

The Virginia Gazette.

—RICHMOND—

WEDNESDAY, APRIL 4, 1804.

RICHMOND PRICE CURRENT.

(Corrected Weekly.)

Tobacco,	36*s* to 38*s* Cash.
Wheat,	6*s*6 to 7*s* do.
Flour, superfine	39*s* do.
Corn,	22*s*6 to 24*s* do.
Hemp, Clean	30*l* to 35*l* do.
Iron,	33*l* do.
Whiskey,	3*s*6 3*s*9 *o.*
Bacon,	8*d* to 9*d* do.

DIED—On Monday morning last, in the 77th year of his age, Mr. JOHN DAY, Sen. of Hanover county.

FOR THE VIRGINIA GAZETTE

Mr. GEORGE HAY.

SIR,

I proposed, at the beginning of my last letter, to show, that a law, granting to justices of the peace the power of demanding security, from printers, for their good behaviour in printing, would contravene the 12th section of the bill of rights, which sanctions the freedom of the press. In order to establish this proposition, it was perceived to be necessary, in the first place, that the meaning of the word "freedom," when applied to the press, should be precisely ascertained. An enquiry, with this view, was instituted. The definition, given by you in Hortensius, and to which you incessantly direct our attention, was examined, and shown to be absurdly erroneous in itself, and at variance with all your present principles.

It was however obvious, that this definition, which makes the freedom of the press to consist in an entire exemption from every species of legal restraint, and to which you still profess to adhere, might have been used as a decisive argument against your recent doctrines, which, passing into the opposite extreme of error, inculcate an unconstitutional and injurious excess of restraint. But I felt not inclined to avail myself of an advantage, which might exhibit, in any point of view, the slightest appearance of unfairness. Truth is my object: not victory. And had the latter been my object, I should doubtless have spurned even a victory, for which I was to be indebted to the unconstitutionality of a definition so glaringly false and absurd, both in matter and expression, so utterly repuguant to the common sense of men, and to the universal practice of nations.

Having rejected, therefore, the wild idea of applying absolute natural freedom to the press, I proposed to demonstrate, that the kind of freedom, which it ought to possess, and which is secured to it by the above recited section of the bill of rights, is the same with that, which appertains to man in society, and is commonly denominated civil freedom.

This description of the freedom of the press was offered at the conclusion of my last letter, and remains now to be illustrated and established.

I am fully persuaded of its correctness, and forcibly impressed with a sense of the importance of the subject, to which it relates: but I regret, sincerely regret, the want both leisure and ability, to give it the clear and satisfactory exposition, of which it is perceived to be susceptible.

In order to understand the meaning of the word "freedom," when applied to the press, we have, according to the doctrine just delivered, only to ascertain what civil freedom is. Civil freedom, as you state, has been correctly defined to be "absolute natural freedom, so far restrained by law as the public good requires, and no farther."

This definition is too plain to require much illustration, and too comprehensive to require supplementary addition. The first characteristic it exhibits is legal restraint. Freedom unrestrained is not civil, but natural freedom. It likewise makes it necessary to the existence of civil freedom, that restraint be imposed as far as the public good requires. The justness of this sentiment is not less obvious than that of the former.

The only motive, which could have incited men in a state of nature to become parties to a social compact, must have been the same with that, which induced the several states to become parties to the federal union; that is, to secure the individual good of the contracting parties, and thus in the words of the federal constitution, to *provide for the general welfare*. If the positive benefits, resulting or derivable from civil institutions, be not as far attained; and if the evils, injuries, destitutions and outrages, inseparable from a state of nature, be not as far remedied and counteracted, as is practicable by the imposition of legal restraint, the great object of original association is, partially at least, defeated, and men, instead of enjoying the advantages of civil liberty, are suffering the evils and inconveniencies incident to a state of anarchy and licentiousness.

Hence we may perceive, that the freedom of an individual in society is not impaired by the entire loss of natural freedom, or even of life itself, provided the public good sanction these privations. A criminal, confined in one of the cells, or even in the dungeon of the Penitentiary, is (presuming the institution to be useful) in as complete possession of civil freedom as Mr. Mims, the immediate author of his confinement.

The last trait in the character of civil freedom, as delineated in the above mentioned definition, and which merits particular attention, is an exemption from farther restraint than the public good requires.

The remarks offered in illustration of the preceding part of our subject, are equally applicable here. If the public good be the proper legitimate object of civil association, this object surely ought not to be defeated, either by a deficiency or by an excess of legal restraint. The former is anarchy and licentiousness; the latter, tyranny and oppression. Civil liberty, like the temperate zones of the earth, is situate between the two comfortless and inhospitable extremes.

Every species and degree of legal restraint is in itself an evil, and can be rightfully imposed only when it prevents or obviates a greater evil, or produces a preponderating portion of positive good. Every man must feel it to be an evil, to have his actions prescribed and regulated by the will of another.§ A compliance, for example, with the requisitions of the militia and revenue laws, must have been felt, and will be acknowledged by all, to be serious evils: and were it not, that they are understood to be necessary to the safety and to the very existence of society, and thus in a *greater degree*, promotive of the public good, they would be justly considered as invasions of civil liberty; as tyrannical, unjust and oppressive.

On the whole, it appears, that, according to this luminous doctrine, civil liberty can reside and flourish, only where the public good is made the polar star of all municipal regulation and national policy. Wherever this great fundamental principle is disregarded; where laws are created with other views, and enforced with other tendencies than to promote the general welfare, there freedom languishes and dies; there political oppression raises his stern visage and looks around with malignant aspect on his dreary domains.

Having now taking a cursory view of the general outlook of civil freedom, we shall find little difficulty in demonstrating its appropriateness to the press. The common sense of the principle, that the press, as well every other affair in which the community is interested, ought to be regulated with a view to public utility, is sufficiently obvious. Why has the constitution ordained the freedom of the press? The ordaining section furnishes the answer: because a free press is one of the great bulwarks of liberty; because it was considered as a principal means of securing a most important public benefit: a benefit, without which indeed, all other benefits are but "dreary things." If then the constitutional provision respecting the press have for its avowed object the public good, we surely ought to give it a construction consistent with and conducive to that end.

May the press, consistently with its freedom, be restrained by law? That, in certain cases and to a certain extent, it may, will be admitted by all. Would its freedom be violated by an indefinite extension of restraint? To this question, likewise, an affirmative answer will be as universally conceded. What then shall be the rule of limitation? Where shall we find a standard measure? If not in the public good, certainly no where.

But it will be contended that this doctrine, although obviously sound in itself, is nevertheless not sufficiently definite; that it places the press too much within the sphere of legislative discretion. After examining the attempts which have been made, with a view to greater precision on this subject, we shall be able to appreciate the validity of these objections.

Horne casius may compose his tremors. His notion of the freedom of the press we have satisfactorily analyzed on a former occasion, and feel not disposed at present to disturb its *caput mortuum*. We therefore proceed to the definition, which you say was offered by the counsel for the editors of the Recorder, in the late memorable case of Hay versus those editors. The defectiveness of this definition, which makes the freedom of the press to consist in an exemption from all previous restraint, is fully shown by you, in the following words:

"If this definition be correct," say you in page 32, "if "the freedom of the press really consisted in an exemption from previous restraint, the legislature might, at "their discretion, declare every publication of a political "nature to be criminal, and terrify the press into silence "by severity of punishment. A law, prescribing the penalty of death for an unjust censure of public measures, would according to this doctrine be no invasion "of the freedom of the press, because the printer was "not restrained by any species of legal coercion from "the act of printing what he chose to print. According "to this doctrine, the most arbitrary control over the "fortunes, liberty and lives of printers might be exercised constitutionally, provided no notice is taken of the "printer until after his criminal or offensive publication. "To call a press in this situation a free press, is a preposterous perversion of the plainest words."

It appears then, that this definition, whilst it opposes a secure barrier against legislative invasion, on one particular point, leaves the press entirely defenceless, on every other, and thus places it in the situation of the Ostrich, when seeking safety from its pursuers, by hiding only its head.

The freedom of the press, then, consists, neither according to Hortensius, in an entire exemption from every species of legal restraint, nor, according to the counsel for the editors of the Recorder, in an exemption from all previous restraint.

We are now, Sir, ready to hear you on the subject. It may be supposed that you have been already heard. You profess to adopt the doctrines of Hortensius respecting the freedom of the press, which were examined on a former occasion. But there is a trick in this business, the exposition of which at an earlier period, was not deemed absolutely necessary. You grossly calumniate the meaning of Hortensius. He says, in the plainest words fifty times repeated, that the freedom of the press consists in an entire exemption of the press from every species of legislative control. You make him say or mean, that this freedom consists in an exemption from further control than is necessary to prevent and punish injuries done to individuals.

You deliver yourself in the following words: "We "cannot but perceive and admit the exact coincidence "between the law (meaning your wild construction of "the law) of 1792, and the limitation laid down by Hortensius (who lays down no limitation whatever) in the "definition of the liberty of the press. This liberty, "says that writer, consists in the right of publishing, "*with impunity* (he says no such thing) whatever one "chuses to publish, provided no injury be done to an individual. If an injury be done to an individual, (proceed you, unaccompanied by Hortensius) our laws "prescribe a punishment and furnish retribution for the "wrong, and thus act on that part of the subject, and "that only, which the definition places within their "reach," (and the whole of which the definition places entirely out of their reach.

This quotation is not made with a view of exposing the wilful and disgusting perversion it contains of the plain and obvious meaning of Hortensius, nor the impotent attempt to reconcile his doctrine with yours; but merely to show what your *present* sentiments are respecting the freedom of the press.

These you further develope in the following words:— "It will be admitted that the freedom of the press is either without any limitation whatever, or there does exist some limitation. That this freedom is not unlimited, is a truth which must command, and has commanded (Hortensius excepted) universal assent.— "There is not a man in the commonwealth of Virginia, (Hortensius again excepted) who has ever ventured even to suggest, that according to the *constitution* and laws of our country, damages cannot be recovered from a printer for the publication of a libel, or that such a publication is not an indictable offence. This point being also conceded, there is an end of the question. For if a printer can constitutionally be punished, for the publication of a libel, it follows that he has no right to publish a libel; and if he has no right to publish a libel, it also follows, that the act of 1792 does not violate his rights or the freedom of the press, in exacting from him a security that he will not do what he has no right to do and what he is punishable for doing."

The first observation that occurs on perusing this quotation, in which are concentrated all your present sentiments and reasonings respecting the freedom of the press, is, that it places the printer and the press on a level with every other mechanic and the usual instruments of his occupation. The printer, the blacksmith and the cobbler, the press, the awl and the hammer, are considered as standing in the same relation to society, and as properly subjected to the same regulation. The freedom of the press and the printer consists in printing, with impunity, whatever he pleases to print, provided no individual be injured; as the freedom of the awl and the cobler consists in cobling what he pleases to cobble, provided none of his neighbors be pricked. The authors of the bill of rights must have been uninstructed in this luminous doctrine; otherwise they would doubtless have declared, a free awl to be another of the great bulwarks of liberty.

(Remainder of the foregoing letter in our next.)

§ You may here perhaps object to my scrupulosity, and remind me that Sampson slew the Philistines with the jaw-bone of an Ass. But his situation was at that time critical, danger urgent, and probably no other weapon accessible. Your system, on the contrary, menaces no immediate danger, nor does it stand as firmly on its center as probably did the Philistines. The line of gravitation falls on the very margin of its base, and like the walls of Jericho, it is ready to fall even at the blast of a ram's horn.

§ Mr. Jefferson, in one of his messages to Congress, when advising the repeal of the excise laws, makes it an objection to them, that they impose "too much regulation." The most conclusive argument, certainly, that could be advanced against them.

For the VIRGINIA GAZETTE.

(No. II.)

Mr. DAVIS,

DURING my late stay in Richmond, I heard it said, and with some confidence, that the publications under the signature of CANDIDUS, were written by the same person, who gained so much reputation last year, under the signature of FEDERALIST, published in our paper. This, I know not how to believe. Yet if it be so, that writer must not in future expect any confidence will be placed in his opinions or assertions. He will be considered one of those authors, who write merely for amusement, and to please themselves, without regarding what pernicious consequences their doctrines may produce among the honest, but uninformed, of his countrymen: like the macaronies of both sides, who dress to please themselves, without regarding how disgusting or contemptible they may appear in the eyes of all others. Yet, *these*, do no mischief in society, except that of drawing the giddy and vain, to follow and imitate their ridiculous fashions. But, a writer of some talents, without steady habits and principles, is capable of doing much real injury in any community;—and such a character, will now be viewed the author of CANDIDUS, if he be really the same person who but a few months since, wrote those valuable numbers of FEDERALIST. How must he have fallen from correct and invulnerable ground, to have taken so much pains to beguile the public by his fallacious statements and opinions, with a view to prove, that the state will *not have* an *undue influence over the Bank*; which, to the dullest mind, must be so evident, as barely to be within the compass of possibility to controul. Was this candid? Is it true? Nay—ought he not to have known, that it is neither? The state is to subscribe one-fifth of the capital. If it had been the wish of the authors of this system, that it should be governed by just or liberal principles, ought more to have been asked on behalf of the state, than a choice of one-fifth of the directors? In the State Bank of Pennsylvania, it is said, that, that state, has the appointment of only three directors. Yet, here, where the treasurer may have 3000 *votes*, upon the 3000 *shares*, in either of two possible cases, it might happen, at the same election, that stockholders, owning 3040 shares, would have only 480 votes; for 16 stockholders, of 190 shares each, would have no more. Is there any thing like reason, justice or liberality, in this? Be assured, Mr. Davis, "the thing is not a good thing." The writer of these observations is neither an enemy to, nor a warm advocate for, banks in any shape. But he is much inclined to believe, that they have been encouraged to too great an extent, in some parts of the union, for the public good.— Monied men, indeed, may derive benefit from such institutions; but will not the less opulent and needy, of course suffer by them? The writer is neither (nor ever was) a speculator, nor trader; neither can he be classed among the wealthy of his fellow-citizens, but he is independent; insomuch, that if the bank law contained, in his opinion, honorable, reliberal provisions, he would take 10 shares, if not more. But viewing that act of the legislature, as he does, he would rather do any thing else with his money, than place it in any institution, over which, either of the parties which at present so unhappily divide our country, could assume and direct the sole management of it; for there may be good, bad and designing men, on both sides. Would it not then, be best, that a system of such real magnitude to the community, should go into operation, under provisions not expressly calculated to exclude either the one party, or the other, from having any controul over it. If therefore, the subscriptions as now offered to the public, should not be filled up, and which, I trust they will not, may we not hope, and with good reason too, that the next assembly will so modify the present act as to do away the objections herein stated, and so strongly urged by all our merchants of capital, and which, 'tis believed, are so well grounded in the opinions of every candid mind, not influenced by party spirit, that they will never be relinquished. To say that, after the subscriptions shall be filled up, and the bank shall be in operation, we may expect such amendments as will render it more agreeable to all parties, is really too idle, and too absurd a suggestion, to merit a single observation.

I will therefore only beg leave to ask, what you take to be the meaning of the two last sentences of the first paragraph of Candidus, No. 3.

"I will pause but a moment, and ask these sage politi- "cians, whether they really believe, that a man who is "rich in private worth, and in his country's honor, will, "all at once, forfeit the well earned laurels of a long and "meritorious life, to become a factious intriguer, merely "because they have said that it was upon this expecta- "tion that they voted for the law? No—no. When "once honor sets enthroned in the bosom of an individual, she will securely hold her station, even though "the man may be beat upon by the storms of political "discord, or overwhelmed by the waves of misfortune." What in the name of common sense does all this mean? What a gingle of words and sound have we here, without substance or meaning! Is it possible that the writer could have had any particular character in view, whom he intended to eulogize? If so, for sweet curiosity's sake, let us know who he is.

These sentences sufficiently satisfy me, that they could never have dropped from the same pen, which wrote the *Federalist*. That writer, laid his opinions before the public, in manly, independent language. Those of *Candidus*, are given in a style, which generally, like the above quotation, smell strong of *sycophancy*. A want of candour, too, in this writer, is most apparent at every step. For instance, among fifty others—"And can it be believed, by any man of common sense, that the treasurer of Virginia shall lose his place because he will not "condescend to forfeit his honor?"—Move non plus.— Who, in the name of Heaven, has ever said, or even intimated, that the "TREASURER OF VIRGINIA would forfeit his honor?"—Can a man that shall be found, true to his trust, (as I am sure the treasurer will ever be) be charged with *forfeiting his honor?*—For shame Candidus. But, that man, must "*have no more brains than an oyster*" —and no more candour or sincerity than a fox, who will say, that he verily believes the treasurer will be as likely to vote for federal characters for directors, if "*honest, capable, and faithful to the constitution,*" as for those of the favorite sect—not more honest, more capable, or more faithful.

A CITIZEN OF PETERSBURG.

Petersburg, March 23, 1804.

§ Porcupine.

DOCUMENTS,

Accompanying the Report of the committee appointed to enquire into the official conduct of SAMUEL CHASE and RICHARD PETERS.—(Continued.)

MONDAY, JANUARY 30.

Committee met. Present five members.

DAVID CALDWELL sworn.

Questioned by the chairman.

Q. Were you clerk of the circuit court of the United States, for the Pennsylvania district, when Thomas Cooper was tried and convicted under the act generally called the sedition law.

A. I was.

Q. Was application made to you by the said Cooper for a subpœna to summon the President of the United States to give testimony on his behalf?

A. Such application was made to me by Mr. Cooper.

Q. Did you refuse the subpœna?

A. I told him to shew his precipe to the court. I handed the precipe to the judge in court—he was on the bench—Mr. Peters was sitting by him. I told him that I delayed issuing the subpœna till I should receive the orders of the court. Mr. Chase told me that I acted very properly in refusing the subpœna, that Mr. Cooper ought to know that the President could not be subpœnaed, he being a party in the cause.

Q. Did Mr. Chase consult Mr. Peters on the subject?

A. Not to my knowledge, and when he gave the decision I believe he had not consulted him.

Q. Did Mr. Chase express any opinion to you on the subject of summoning the President, previous to the above conversation?

A. I never had any conversation with him on the subject before, to my knowledge.

Q. Was any record made of this refusal?

A. There was no record made, but Mr. Chase wrote the word *refused* upon the precipe, opposite to the President's name.

Q. Did the court make any enquiry of Thomas Cooper as to his pecuniary circumstances?

A. After the verdict, and when the court was about to pass sentence, judge Chase enquired of Thomas Cooper what his situation in life was as to pecuniary matters.— Mr. Cooper stated them—and Mr. Chase said that some evidence of his situation should be offered to the court; and he asked further, whether the fine was to be paid by himself, or by his party. Mr. Cooper answered, that he never had been employed by a party, either in England, or in this country, and that he never would be. Upon which judge Peters declared that it was not a question for the court to ask, as it could not be a matter of any consideration with them, by whom the fine was to be paid.

Interrogatories exhibited on behalf of the House of Representatives of the United States, to GEORGE HAY and PHILIP N. NICHOLAS, Esquires, touching the official conduct of Samuel Chase, Esq.

1. Were you present at the trial of James T. Callender for sedition?

Answer. I was present when James T. Callender was tried for a libel on John Adams, then President of the United States.

2. When and where did that trial take place?

Answer. At the capitol, in the city of Richmond, in the state of Virginia, before Samuel Chase and Cyrus Griffin, sitting as judges of the circuit court. It commenced in the month of May, 1800. How many days were employed in the prosecution I do not remember.

3. Relate the circumstances of that trial?

Answer. I will relate those which appear to me to be material.

At the session of the circuit court in May, 1800, an indictment charging Callender with libelling the President of the United States, was found by the grand jury to be a true bill. Process was soon after awarded, by virtue of which he was arrested, in or near Petersburg, and brought into court. The trial, it was understood, was to take place immediately. For this, Callender said he was not prepared. Nor was I, who had undertaken to be one of his counsel prepared at that time, to discuss the two great questions which were involved in the prosecution. I was ready to argue the point concerning the constitutionality of the sedition law, but not to prove what I then believed, and still believe to be sound doctrine, that the jury might acquit the prisoner, if they thought the law unconstitutional. An argument on this subject was during the trial hastily composed; but I was not permitted to deliver it, as will be hereafter stated. A motion therefore was made for a continuance, upon the facts stated in the affidavit, now among the papers filed with the indictment.—— The substance of it was, that witnesses were absent whose testimony was material, and that documents were wanted which could not be immediately procured. The witnesses were named, the evidence expected from each distinctly stated, and the documents wanted clearly specified. When this affidavit was presented to the court, it was urged by the counsel that the constitution secured to the prisoner a right to process to enforce the attendance of his witnesses. He had also a right, under the constitution, to the assistance of counsel in his defence; but if he were tried, when his witnesses were absent, and his counsel not prepared for his defence, without any default in him, or them, these important provisions in the constitution would be useless.

The motion was instantly over-ruled. The attorney for the United States was told, that it was unnecessary to reply. Mr. Chase said that it would be a waste of time; that there was no reason for putting off the trial; that as the prisoner did not swear that he could prove *all the charges* recited in the indictment, his having testimony as to part of them, was immaterial; he must prove all, continued Mr. Chase, and it must appear that he can prove all, or the trial will not be postponed.

In the course of the argument, for the postponement, I took it for granted, as I yet believe I ought to have done, that the fine which might be assessed, would be ascertained by a jury. By the laws of Virginia, fines for misdemeanors are assessed by the jury. (See Virg. laws, Revised Code, p. 112.) Mr. Chase interrupted me, to tell me that I was wrong, that the supposition might be correct as to the laws of Virginia, but that it was a wild notion as applied to the federal court.

When the court had over-ruled the motion for the continuance, the counsel for Callender claimed for him the benefit of that clause of the constitution, which was intended to secure a trial by an impartial jury. The judge (Chase) declared that *he* would see justice done in that respect. When the jury were about to be sworn, the counsel wished to ask each individual composing it, whether they had formed any opinion concerning the work, called "The Prospect Before Us," from which the matter charged in the indictment to be libellous, was taken.— They were not permitted to ask this question. Mr. Chase asked them himself whether they had formed and delivered any opinion, concerning the charges in the indictment. As they had never heard the indictment read, they of course answered in the negative. The jurors stated that they knew not what was in the in the indictment. Indeed it was hardly possible that they should know; as I believe the indictment was not read in court, until the jury were actually sworn. One of the jury, John Basset, stated that he was unwilling to serve, having made up his mind as to the book called "The Prospect, &c.;" but as he acknowledged that he had not formed and delivered an opinion concerning the charges in the indictment, because in fact, he knew not what they were, *his* objection was over-ruled.

When the trial commenced, Colonel John Taylor, of Caroline, was introduced as a witness for the prisoner. I believe he was sworn. The counsel wished to interrogate him. This they were not permitted to do, until they had stated the points to which his evidence related. They were then obliged by Mr. Chase, to reduce the questions they wished to propound to Col. Taylor, in writing, and then to submit them to his inspection, that he might determine whether they should be propounded or not.

Colonel Taylor's evidence was rejected.

The ground of this opinion, as stated by Mr. Chase, was this—that Col. Taylor could not prove the whole of the charge. The charge was, the judge (Chase) said, "that the President was a professed aristocrat—that he had proved faithful and serviceable to the British interest."— Proving half, he said, was doing nothing; both facts must be proved. It was contended, on the part of the prisoner, that if it was necessary to prove both facts by the same witness, the charge in both points would be proved by the testimony of Col. Taylor. He would prove that Mr. Adams had professed aristocratical opinions; and that he had proved faithful and serviceable to the British interest, in the way mentioned by "The Prospect, &c." by voting against the sequestration law, and the law suspending all intercourse with Great Britain. The judge (Chase) repeated that the evidence was inadmissable, that the counsel knew it to be so, and that they only wanted to deceive and to mislead the populace.

The counsel who were associated with me, in Callender's defence, attempted to address the jury on the unconstitutionality of the law, on which the indictment was founded. They were interrupted, and obliged, by Mr. Chase, if not ordered, to sit down. I then addressed Mr. Chase, himself, with a view to satisfy him, that I had a right to discuss this point before the jury. I told him that what I was then about to say, was intended for the court alone. He interrupted me; he asked some question, which was answered: in a very short time, after I had resumed my argument, I was interrupted again by Mr. Chase. How often I was interrupted I know not; but I was interrupted, rudely interrupted several times. Having seen in the course of this trial what I had never seen before, having felt what I never felt before, and what I certainly expect never to feel again, and being impressed with a belief that Mr. Chase was determined to silence me, if he could, my mind was overwhelmed by *conflicting sentiments*, and I quitted the bar, my client, and the court.

As to the manner observed by Mr. Chase during the whole of this trial, the interrogatories propounded do not seem to require that I should say any thing.

4. Did Mr. Chase refuse to the prisoner the testimony

of a witness, because he, the said witness could not prove the truth of all the facts set forth, and upon which the indictment was grounded.

Answer. This question is already answered.

GEORGE HAY.

The deposition of PHILIP NORBORNE NICHOLAS, taken at the house of the honorable George Wythe, Esquire, in the city of Richmond, before the said George Wythe, Esqire, and Joseph Scott, Esquire, commissioners duly authorised by the House of Representatives of the United States, to take the said deposition. The said deposition being taken on interrogatories propounded to said Nicholas by the said commissioners, which interrogatories and the answers to the same are as follow, to wit:

1. *Interrogatory.* Were you present at the trial of James Thomson Callender, for sedition?

Answer. I was.

2. *Interrogatory.* When and where did that trial take place?

Answer. The trial of James Thomson Callender, on a charge of sedition, took place in the circuit court of the United States, for the Virginia district, during the May term of that court, in the year 1800.

Interrogatory 3. Relate the circumstances of that trial?

Answer. During the May term of the circuit court of the United States for the Virginia district, in the year 1800, an indictment was sent to the grand jury against James Thomson Callender as the publisher of a work, entitled "The Prospect before us"—a great many passages from the work were stated in the indictment and charged on Callender as seditious. The grand jury found the indictment a true bill. Callender was not in custody, but resided at the time in Petersburg; a warrant was issued against him, and some days afterwards he was arrested and brought to Richmond by the marshal. This deponent having previously formed a determination to appear as one of Callender's counsel, after his arrest, he, together with George Hay, Esquire, had a conference with Callender to examine the charges against him and to ascertain whether he was prepared for his defence. The charges stated in the indictment were very numerous and dissimilar in their kind, and we soon perceived that it would be impossible to be prepared for the defence without the attendance of a number of persons, several of whom resided at a great distance. We were of opinion also that many documents were necessary which it would require time to procure; and the charges were so multifarious, and required a particular examination of so many facts and events of a public nature, that we believed if our evidence was present we could not be prepared, during the term, to do justice to our client. Under this conviction, we advised Mr. Callender to move for a continuance of the cause, and an affidavit was prepared under his directions to found the motion on. This affidavit is filed amongst the papers in the cause in the federal court. It stated that Callender expected to prove by the persons whose names were mentioned in it, certain facts material to his defence; the facts which he expected to derive from each witness were particularly stated in the affidavit. It will appear by a comparison of the affidavit with the indictment, that the facts stated by Callender as being known to his absent witnesses, apply directly to many of the charges of the indictment. Before the motion was finally decided on, by the court, they directed the cause to lay over for a few days, and in the mean time that Callender might subpœna such of his witnesses as were within reach. Subpœnas accordingly issued for Gen. Mason, Col. Taylor of Caroline, and Mr. Giles. After the time had elapsed, during which the court consented the cause might lie, it became necessary that we should urge the court for a continuance, as none of Callender's witnesses attended but Col. Taylor, and this gentleman's evidence, though deemed by us very important, applied only to part of the charges in the indictment. We accordingly renewed the motion, and it was urged with great earnestness, under a conviction that a fair trial could not be had without Callender's witnesses, and that as many of them lived at the distance of several hundred miles, and the prosecution had originated only a few days before, it was impossible that Callender could have procured their attendance. We thought also that he had a constitutional right to obtain compulsory process to compel the attendance of his witnesses. The court refused to grant a continuance, and Judge Chase declared, as the reason why the continuance was refused, that Callender had not stated in his affidavit that he could prove the truth of all the charges stated in the indictment; that it was necessary that Callender should prove the truth of all the charges to obtain an acquittal, and that as the witnesses who were absent were to give evidence as to part of the charges only, their absence afforded no good reason for a continuance, and that therefore our motion should be over-ruled. The court having refused to continue the cause, the jury was called, and one of the counsel for the defendant stated to the court, that he wished to ask the juror, who was called to the book, before he was sworn, whether he had formed an opinion on the work, entitled "The Prospect Before Us," from which the charges in the indictment were extracted. Judge Chase said no such question should be asked, that the only question which would be allowed was whether the juror had formed and delivered an opinion on the charges contained in the indictment, and that to exclude the juror, he must not only have formed, but also delivered an opinion. The juror answered that he had never seen the indictment or heard it read. The judge directed that he should be sworn in chief. The counsel then asked that the indictment should be read to the juror, which might enable him to decide whether he had formed and delivered an opinion on the charges in the indictment. Judge Chase said he would not permit this—that they had indulged the counsel as far as they could, and that they ought to be satisfied. It is to be observed that Mr. Bassett, who had been summoned on the jury, seemed to have considerable scruples at serving, and stated that he had expressed some opinion as to the "Prospect Before Us." Judge Chase however declared Mr. Bassett a good juror. The jury having been sworn and several witnesses having been examined on the part of the United States to prove the publication of the "Prospect Before Us," the counsel for the defendant asked that Colonel Taylor of Caroline should be sworn.—The court decided that Colonel Taylor should not be examined, for reasons which this deponent will fully detail in answer to the fourth interrogatory. After the exclusion of Col. Taylor's evidence, the attorney of the United States spoke at length on the charges contained in the indictment, and after he had finished, the counsel for Callender commenced their defence. The counsel who opened the defence, began by stating to the jury the embarrassed situation in which he and his coadjutors stood; that the prisoner during the same term was presented, indicted, arrested, arraigned and tried, and that his precipitation precluded the possibility of obtaining witnesses or making preparation for a subject of such extent. He was here interrupted by Judge Chase, who said he would not suffer any thing to be said, which reflected on the court.—The counsel then attempted to demonstrate to the jury that the act of congress usually stiled the sedition act was unconstitutional and void, and the jury were not bound to consider it as law. Judge Chase interrupted the counsel and stated that arguments might be addressed to the court on the right of the jury to consider the constitutionality of the sedition act, but that such arguments should not be addressed to the jury. The counsel then attempted to demonstrate to the court the right of the jury to inquire into the constitutionality of an act of congress. In the course of the discussion of this point the counsel were frequently interrupted by Judge Chase, particularly Mr. Hay, and that gentleman, who spoke last, after having received several successive interruptions from judge Chase, folded up his papers and declared that he would proceed no further in the discussion.

The counsel for the defendant made no further effort at a defence, and retired from the court.—The motive which influenced the counsel to abandon the defence, at least the motives which influenced this deponent, was a persuasion that in the absence of many of Callender's witnesses, after the exclusion of colonel Taylor's evidence, and the restrictions imposed on the counsel as to the manner of conducting the defence of their client, together with the decision of the court on the points which have been stated, that he could render no possible service to the defendant.

Interrogatory 4th. Did Mr. Chase refuse to the prisoner the testimony of a witness, because he, the said witness, could not prove the truth of all the facts set forth, and upon which the indictment was grounded?

Answer. After the jury in Callender's case were sworn, col. Taylor, of Caroline, who attended as a witness, in consequence of a subpœna served upon him on behalf of Callender, was called to the book and sworn in the usual form. Judge Chase at this moment asked, with considerable haste and eagerness of manner, what the counsel expected to prove by the witness? He was informed that they meant to ask him whether Mr. Adams had not avowed in his presence, sentiments inimical to a republican form of government, and whether he did not whilst Vice-President, give the casting vote in the Senate against the sequestration of British debts, and against the suspension of intercourse with Great Britain. Judge Chase demanded that the counsel should state in writing the questions meant to be asked. The counsel for the defendant opposed this, because, although a number of witnesses had been examined on the part of the United States, no similar requisition had been made with respect to them, because it was contrary to the practice of the state courts, and because also it was unreasonable in itself, and calculated to subject every question of fact to the control of the court. Judge Chase, however, insisted that the questions should be submitted to his previous decision. They were accordingly put in writing, and were as follow, to wit:

1. Did you ever hear Mr. Adams express any sentiments favorable to monarchy or aristocracy—and what were they?

2. Did you ever hear Mr. Adams, whilst Vice-President, express his disapprobation of the funding system?

3. Do you know whether Mr. Adams did not in the year 1794, vote against the sequestration of British debts, and for stopping all intercourse with Great Britain?

After having examined the questions, judge Chase declared that col. Taylor's evidence was inadmissible. He declared that no evidence could be received that did not justify the whole charge. The charge, said he, is, that the traverser said of the President, he is a professed aristocrat and has proved faithful to the British interest; now you must prove both points, or you prove nothing; and as your evidence relates to one only, it cannot be received—you must prove all or none. This was in substance, and it is believed the precise words in which judge Chase stated his objection to col. Taylor's evidence. The counsel asked the judge whether they could not be allowed to prove part of a charge by one witness and part by another? To this judge Chase replied, that if the counsel could prove the whole of any one charge by col. Taylor, that they might do it, otherwise they should not examine him. The counsel contended that col. Taylor's evidence applied to the whole of the charge which the judge had stated in his opinion. That they meant to prove by him, that the President had professed anti republican sentiments, and had proved faithful and serviceable to the British interest, in the sense in which those expressions were used in the prospect. The judge, however, adhered to his determination to exclude the evidence; and colonel Taylor retired from the court with evident marks of astonishment. It is necessary it should be stated that judge Griffin sat in Callender's trial as well as judge Chase; but throughout the trial judge Chase delivered the resolutions of the court, and assigned the reasons on which those resolutions were founded;—and with respect to the particular points which have been stated by this deponent, as decided by the court, judge Chase delivered the opinions and assigned the reasons which have been attributed to him.

PH: NORBORNE NICHOLAS.

(To be continued.)

HOUSE OF REPRESENTATIVES.

MESSAGE.

From the President of the United States, communicating to congress, an extract of a letter from Gov. Claiborne to the Secretary of State, with one which it covered, for their information, as to the present state of the subject, to which they relate.

To the Senate and House of Representatives of the United States.

I communicate to congress an extract of a letter from governor Claiborne to the secretary of state, with one which it covered, for their information as to the present state of the subject to which they relate.

TH: JEFFERSON.

March 7, 1804.

Extract of a letter from governor Claiborne, to the secretary of state, dated New-Orleans, January 31st 1804.

"A vessel arrived at this port a few days since with fifty African negroes for sale. I immediately applied to a Mr. Leonard, the late Spanish contadore at this place, a man of great integrity of character, for information as to the laws and customs of Spain relating to the African trade, and received from him a letter upon the subject, which is herewith enclosed. Finding from Mr. Leonard's communication, that the bringing of African slaves to Louisiana, had been permitted by the Spanish authorities, and doubting whether I was vested with the power to forbid their sale, the importer has been left to pursue his own wishes."

(COPY.)

SIR,

In reply to your excellency's request for information relative to the arrangement of the Spanish government of this province, concerning the importation of slaves, I beg leave to represent.

That by an order of his majesty, dated at Aranjeuz, the 20th of January, 1793, the prohibition which restrained the importation of slaves was expressly removed, free of duties, to favor the commercial interest of his majesty's subjects, and the said order was promulgated in due form by the intendant of this province, Don Ramon de Lopez Y. Angulo, on the 29th of November, 1800.

Subsequent to the retrocession of the province to France, but pending the existance and the exercise of the Spanish authorities, three vessels have arrived, and been admitted into this port, with slaves for sale, consigned to John Francis Mercult, viz. the French brig African, Peter Farnuel, master, charged with 143 Africans; the French brig La Confiance, John Louis Sacray, master, charged with 170 Africans; and the French brig Sally, Augustus Guibert, master, charged with one hundred fifty Africans.

It is proper for me to observe to your excellency, that the royal edict, required Spanish bottoms and Spanish masters for this commerce, but the Spanish authorities, which existed but after the retrocession had been formally announced, considered it their duties to pursue the obvious spirit of this edict, which had for its object the particular interest and accommodation of his majesty's marine and his subjects, and therefore they deemed it both reasonable and just, that these privileges and advantages which had been graciously intended for Spanish Louisiana, should not be withheld from French Louisiana, during the existance of their temporary authority.

To this candid exposition of facts, I will beg leave with great deference, to add the opinion, that should a change of policy be found expedient by the government of the United States, it should be promulgated a reasonable time anterior to the interdiction of such commercial expeditions, as may have been projected under and admitted by the government of France or Spain, previous to the sale and transfer of the province by the French government to the United States.

I have the honor to be &c.

(Signed) GILBERT LEONARD.

New-Orleans 25th Jan. 1804.

His Excellency Wm. C. C. Claiborne.

Richmond Temporary Theatre.

(The last night but one this season.)

For the Benefit of Mrs. Lynch, Messrs. Martin, Saltford, and Barrymore.

On Wednesday evening, April 4th, 1804, will be presented a celebrated Play written by Kotzbue, Auther of Pizarro, Stranger, &c. called

LOVERS VOWS.

End of the play, an occasional Epilogue, by Miss Green.

A Song, "Bright Chanticleer," by Mrs. Green.

A Song "The moments were sad when my love and I parted," By Mr. Story.

A Hornpipe by Mr. Sanford, in Character of Harlequin, to conclude with a leap through a transparent Sun.

To which will be added, the Musical Farce of the

PADLOCK.

☞ *Tickets to be had as usual.*

Just Published,

BY T. & J. SWORDS, NEW-YORK,

And for sale by WILLIAM PRICHARD, Book seller & Stationer, Richmond,

Price *one dollar and seventy-five cents* in boards, and *two dollars and twenty-five cents*, neatly bound in calf,

The Temple of Nature, or Origin of Society—a Poem, with philosophic notes, by Erasmus Darwin, M. D. F. R. S. author of the Botanic Garden, of Zoonomia, Phytalogia, &c. &c.

☞ *T. & J. SWORDS respectfully inform the patrons of taste, that they have printed the Temple of Nature in the same style of neatness, and to correspond in size, with their edition of the Botanic Garden; and they hope, as to correctness and elegance, it will not suffer by comparison with any work that has issued from an American press.*

N. B. At WILLIAM PRICHARD's Book & Stationary Store may be had all the literary productions of the late Dr. Darwin, as well as every other modern work of celebrity, and at as low prices as they can be bought in any book-store in the United States.

April 3d, 1804. 4t

NOTICE.

Valuable Lands for Sale.

AT Hanover courthouse, on Wednesday the 25th of April next, being court day, will be exposed to sale at auction, for ready money,

Two tracts of Land,

one of them containing 775 1-2 acres, more or less, and is commonly known and called by the name of Bib's Tract, part whereof lies in Hanover and part in Goochland.

The other tract contains 100 acres, more or less, and lies in Hanover. The subscriber believes that the latter tract is commonly known by the name of Fenton's place. Both tracts adjoin each other, and will be sold together. These lands are distant from the city of Richmond about 22 miles, in a healthy situation and an agreeable neighborhood. It is deemed unnecessary to say any thing with respect to the quality of the soil, as it is believed that any one inclining to purchase will first view the lands.

The sale will be made by virtue of a deed of trust from Thomas Thompson, Jane Isabella, his wife, and William Duval, to George Yuille, dated the 22d of March, 1796, and recorded in the general court in June following; to secure the payment of a debt due from the said Thomas Thompson to Murdock, Farnes & Co—and which deed of trust the subscriber was authorised to carry into effect by a deed of assignment made between him and the aforenamed Thomas Thompson and George Yuille, dated the 23d of January, 1798, and recorded in the general court the 13th of November following, which two deeds will be exhibited on the day of sale, and a deed of conveyance with special warranty, will be executed to the purchaser, by

Charles Copland.

Richmond, 16th February, 1804. 22awtds.

THE public are respectfully informed that the business, heretofore carried on by John Pumfrey, will, in future, be carried on under the firm of

Pumfrey & Fitzwhylsonn.

Richmond, April 4, 1804. epst.

For Sale,

A VERY valuable tract of LAND, in Frederick county, Virginia, bordering with rich low ground, on the Shenandoah river, just above Berry's Ferry.

This land may be purchased all together, or in small parcels from 50 to 250 acres. The terms of payment are, one fourth on the first of January next, when possession will be given; the remainder in three equal annual payments, to carry interest from that day: approved security will be required. Apply to the subscriber, who will be in Frederick, the months of May and October next—the intermediate time in Amherst county.

Thomas Massie.

March 19th, 1804. 3m.

Westham Iron Foundery,

NEAR RICHMOND.

THE subscriber takes the liberty of informing the Public, that he has taken a lease, and is at present working, the above Foundery; and having provided the best artists in that line, from New-York and George Town, together with Pig Iron, of the first quality, proposes to cast, Mill Gudgeons and Inks, of every description; also, cast Iron Wheels for the Machinery of Mills; Rumford, registered and plain Grates; grate front and bottoms, for Rumfordizing fire places; large and small stoves; Franklin Stoves, for wood or coal; kitchen grates, with crane and range complete; coach warmers; plain stoves and mant'l plates; cast railing of every pattern, plowshares & plow boards; cast coach phaeton and chair boxes; scale weights from 1 to 60 lb; sash and clock weights: patent saw irons for smiths, on a very approved plan; backs, jams and back lays; nail cutting machines with screws complete, wheel barrow bowlers; garden ditto; cast iron anvils; fire dogs and hand irons of every description—together with any other article in the casting line, to a given pattern, at the shortest notice, by application at the furnace, or to

JAMES DUNLAP, in Richmond.

March 24th, 1804. w4m.

P. S. Old Iron purchased by application as above.

LIST OF LETTERS

Remaining in the Post-Office, Richmond, April 1st, 1804.

A. RALPH Allen, Major Thomas Armistead, 2.

B. Auguftine Baughan, Peter Baker, J. Boatright, John Burnley, Bela Badger, 3; Montford Beverly, Amos Brown, James Bingham, Miss Lucy S. Blackwell, Lake Beddy, Sarah M. Burton, William Boyd, William Bell, Philip Boos, David Briggs, Mrs. Mary Berry, Peter Bofs, Daniel Burton, Mr. Bell, James Brand, Lewis Burwell, James Bradwell, John Beale, Elizabeth Bell, Charles Benging.

C. Edmund Crutchfield, Fleming Cocke, Charles Clark, Thomas Cacey, Miles Camp, Thomas Cosgrove, 2; Daniel Couch, 2; John Clarke, Alexander Campbell, Euphraus Carney, Edwin Clopton, Ambrose Cosgrove, 2; George Carter, John Caulfield, William Crawford, William Callis, Auterbene Cook, David Chart, Charles Chilton, James Caird, Robert Cowan, Robert Carter.

D. Thomas Dennis, Mr. Dauce, George E. Duguid, George Daniel, Jeremiah Dorolin, Thomas Duncham, Robert Dabelt, Moses Davis, Peyton Drew.

E. William Elliott, 2; Miss Tabby Eppes, Freeman Eppes.

F. Ann Franklin, William Fontaine, Anthony Francis, Thomas Forney, William Forter, Mrs. Sarah Flack.

G. Midshipman John Godwin, Henry Gardner Major Philip Gaines, Richard Gregory, William Gentry, Charles F. Goodall, Obedrah Gathwright, William Granger.

H. Mrs. Nicky Holecraft, Richard D. Hines, Samuel Hart, George W. Hall, Henry Hall, Thomas H, Hardy, Joseph Huntley, William Hughes, William Herrin, 2; Archilaus Hughes,

I. Robert B. James, William Johnston, 4; William Johnson, John Jefferson, Sarah Jones, Joseph Jenkins, Mingo Jackson.

K. John Kenney, Charles Keese, Mrs. Susanna Kilburn, R. Kender.

L. Samuel Leonard, David Logan, 2; Thomas Lyon, William Lee, Mrs. Mary Lowry, Thomas L. Lee, Catharine Leonard, Elizabeth Lark, Edward Lark, John Lacy, Miss Angelica Lacy, Lucy Leake, Mr. Lane, of Fairfax; Robert Laughlin, Milley Lewis, Doctor William Leigh.

M. Myer Marks, Abraham Myers, Moses Mordecai, Robert Means, 2; Robert Moss, Christopher Mcpherson, Ephraim McQuillan, Theodorick Maffie, Robert Mallie, Thomas Mallory, William Morris, George McLean, Doctor Richard E. Meade, Captain William Meredith, Miss Sally Maury, John Moody, 2; William H. Morris, Archibald McRae, Michael Myers, John McGibbon, Ann Mallie, Robert Munteth, John McEver, William Mann, 4; John S. Moore, John Mountcastle, Robert Mitchell, Spumantia Mandit, William McCormock, Aaron Meeken, John Mills, Isaac Muky, Peggy McDonald,

N, Robert Nicholas, Susan Nelson, Humphrey Nichols, Major Noel, William Nimmo, Elsy Norman,

O, Lieutenant O. Bannon,

P, Major William Price, 4; John Patriek, Robert Pane, Mary Pritchard, Nathan Pratt, Nathaniel Pane, J. Putnaw, Mary Price, Walter Pearson, Elisha Price, Miss Mary Price, Peter M. Puryear, Daniel Price, Gidion Pierce, John Pierce, Soloman Palley, Philip Payne, John P. Picafants,

Q. Miss Harriet Quarrier,

R, David Rousseau, Archy Rose, Richard Rankin, John Ross, Joseph Reed, Ann Robinson, Francis Robinson, Edward Richardson, Ryland Randolph, Samuel Redd, William Richardson,

S, Samuel W. Sayre, 3; John S. Stubbs, 2; John Smith, Hanover, John Strobia, Henry Smith, 3; George Simpson, Enoch Sullivan, Joel Sexton, Hannah Stubbs, Nicholas Smith, Mary B. Sydnor, Judith S, Street, Thomas Sully, Miles Selden, Rufus Soule, Fortunatus Sydnor, Philip Snapp, Col. Henry Skipwith.

T, John Turpin, Isham Todd, Robert Taylor, Hezekiah Taylor, Mr. Trouin, Thomas Tinsley, Toby Thornton, Peter Tinsley,

U, Thomas Underwood,

W, James Walker, William Willes, 3; Doctor George Williamson, John White, Robert Warrener, Ninian Wile, John Walker, John Webb, Edward Wanton, Thomas Wath, Edward Winston, P. P. Walton, 2; John Winston, Jacob Welsh, Thomas Wiat, George Winston, John B. Winn, Mary Winn, John Williamson,

Y, Richard Young, William Young, 2;

MARKS VANDEWALL, P. M.

BARTLETT STILL,

Is opening a General Assortment of

Fancy Goods,

In the house lately occupied by Mr. Wm. Meeburn, next door to Messrs. Ellis & Allen,

—VIZ.—

Chintzes and Calicoes.
Lace Cloaks and Veils.
Fine Laces & Edgings.
Lustrings and Satins.
Silk Muslins.
Italian Crapes.
Feathers and Flowers.
Fashionable Ribbons.
Silk and Cotton Trimmings.
Satin and Lustring Umbrellas.
Gloves & Glove Ties.
Moleskin Vest Patterns.

Plated Ware and Jewellery.

Fine Guns & Pistols.
Gold & Silver Watches, & Clocks, warranted.
Gold and Silver Trimmings, new patterns.

26 TEA, &c.

Gunpowder Tea.
Spanish Segars, of a superior quality.

N. B.—B. S. offers his services to his friends and the public, to transact VENDUE & COMMISSION BUSINESS. Those who may please to favor him with their business, may depend on good treatment, as great exertion will be made to give satisfaction.

PRODUCE and GOODS stored and delivered on the shortest notice, by B. S.

Richmond, December 13, 1803.

NOTICE.

BY virtue of a Deed of Trust, executed by John Price, and Jane his wife, the subscribers will offer for sale, at Auction, on the premises, for READY MONEY, on Saturday the 18th of February next,

A TRACT OF LAND,

in Goochland county, containing 326 acres, more or less, lying on Tuckahoe Creek, adjoining the Land of Col. Robert H. Saunders, it being the whole of that part of Land which was devised by John Jude, to his daughter Jane, wife of the said John Price. This sale is made to satisfy a debt of 450*l.* with interest from the 28th day of January 1801, due from the said John Price to Robert H. Saunders.

CHARLES COPLAND, } Trustees.
DAVID BULLOCK, }

January 2, 1804.

☞ The Sale of the above mentioned property was postponed by the mutual consent of all the parties It will now positively be sold on the 20th day of April next.

CHARLES COPLAND, } Trustees.
DAVID BULLOCK, }

March 6, 1804.

MESSRS. *Pickering, Snell,* and two other persons, of the name of *Gale*, supposed to be residents of the state of *South Carolina*, or *Georgia*, who went to *Baltimore*, some time in July or August last, to purchase *Slaves*, are desired to take NOTICE that BEN, who they bought of *Abraham Ware* of *Hartford county* in *Maryland*, is now in the *Jail* of this *city*, as a *Runaway*. He formerly belonged to *Peter Poteet* of *Baltimore*, and afterwards to a Mr. *John Street* of *Hartford county*, who sold him to Mr. WARE. He is a stout, active, strong, well looking very black man, of about 26 or 27 years of age, and 5 feet 8 inches high. He says that, in September last, he and about 25 or 30 others were landed out of a schooner, at *Smithfield* on *James River*, and marched by the above persons, into South Carolina and Georgia, and that *Pickering* sold him somewhere about 50 or 60 miles on the other side of the South Carolina line to a farmer of the name of HOLBERT, who owned a mill. He staid but a few days with his new master before he set off to the *Northward*, under the assumed name of *Bob Benfield*. The subscriber has received a letter from a gentleman in Baltimore corroborative of the above, and who has known him some years. His owner is requested to come, or send for him, and on producing such credentials as the law requires, will be delivered on payment of fees and this advertisement, by

William Rose

Richmond, Feb. 16, 1804. tf

Williamsburg, February 13th, 1804.

COMMITTED to this jail a run-away man named SQUIRE, of a tawny complexion, about 5 feet 7 or 8 inches high, and says he belongs to the estate of Allen Cocke, deceased, of Surry county, and formerly the property of Lyttleton Tazwell, Esq. of this place. The owner is desired to prove the property, pay charges, and take him away, or he will be dealt with as the law directs. 6t. JAMES TAYLOR, Jailor.

ROBERT GAMBLE & SON,

Are receiving by the ship *Fame*, and other arrivals from Europe, a general assortment of

Merchandize,

SUITABLE to the season, which they are disposed to sell on moderate terms, for Cash, Country Produce, or, to *punctual customers*, on the usual credit.

Having a large and convenient WARE-HOUSE calculated to store FLOUR, &c. those who may confide Country Produce, &c. to *their* care, are assured, that their endeavours will be used to give general, satisfaction, and their charge for storage, &c. will be reasonable.

Richmond, 17th October, 1803.

☞ Public notice is hereby given, That the Court of Hustings for the city of Richmond, will at the next court to be held, for the said city, on the second Monday in next month, proceed to appoint one fit and suitable person, to act as Inspector of manufactured tobacco within the city aforesaid for the term of one year, by virtue and in pursuance of an act of the last session o' Assembly, entitled, "An act to amend an act concerning the manufacture of tobacco."

By order of the court.

Andrew Stevenson.

March 28, 1804.

The business heretofore carried on under the firm of ROBERT POLLOK & Co. in this place, will from the first of April next be conducted under that of POLLOK, TREDWAY & Co.

Manchester, March 28, 1804.

I AM in want of a situation in a Store, or as Clerk. Apply to John P. Shield's Tavern, where I may be seen.

March 14, 1804.

NOTICE.

ALL those having claims against the estate of William Wingo, deceased, late of King William county, will please to make them known previous to the first day of May next, in order that provision may be made for the payment thereof. This notice will be made a plea against any demand made after after the above period.

C. Bosher,

Administrator with the Will annexed.

Richmond, January 17th, 1804.

4439 Acres of valuable

L A N D,

IN the south of Kentucky, the greater part Military, will be sold for good bonds or exchanged for property in the state of Virginia. Enquire of the Printer hereof.

December 26th, 1803.

Richmond James River Company.

AT a meeting of the President and Directors of the Richmond James River Company, on the 24th day of March, 1804—

Resolved, That the Share-Holders pay to Robert Pollard, Treasurer, the sum of Five Dollars on each Share, on or before the first day of May next.

Extract from the Minutes.

ROBERT POLLARD, Clerk.

March 27. 12awim.

House-Building, Cabinet Work, &c.

YEAMANS SMITH,

INFORMS the Public, that he has commenced business in this city, near the Hay-Market Garden, in the following branches of his profession: Brick Laying, Carpenter's Work, Joiner's Work, Painting and Glazing.

He also polishes Marble, carves any sort of Figure in stone or wood, paints so as to imitate Marble or Mahogany, makes all sorts of Composition Ornaments for Chimney pieces, takes Likenesses in Wax, either Bust or in Basrelief; Paints, Gilds and Varnishes, in the neatest manner, Carriages, Signs, &c. &c.

Richmond, March 7th, 1804.

(By Authority.)

SCHEME OF A

L O T T E R Y,

To build an Academy in the city of Richmond.

				Dollars.
1	Prize—last drawn ticket, having a blank to its number,			20,000
1	do.			10,000
1	do.			5,000
5	do.	of 1,000	make	5,000
6	do.	of 500	——	3,000
10	do.	of 200	——	2,000
20	do.	of 100	——	2,000
100	do.	of 50	——	5,000
250	do.	of 30	——	7,500
420	do.	of 25	——	10,500
1,500	do.	of 20	——	30,000
3,000	do.	of 15	——	45,000
1	first drawn ticket after 1,000, having a blank to its number,			250
1	do.	after 2,000	do.	250
1	do.	after 3,000	do.	250
1	do.	after 4,000	do.	250
1	do.	after 5,000	do.	500
1	do.	after 6,000	do.	500
1	do.	after 8,000	do.	500
1	do.	after 10,000	do.	500
1	do.	after 12,000	do.	500
1	do.	after 13,000	do.	500
1	do.	after 14,000	do.	1,000
5,325	Prizes,			150,000
9,675	Blanks—not two to a Prize.			
15,000	Tickets at 10 Dollars each,			150,000

N. B.—Prizes subject to a deduction of 15 per cent.

This Lottery has been authorized by the Legislature of Virginia, for the laudable purpose of erecting a seminary of learning in or near the metropolis of this state. With this view it is contemplated to raise 20,000 dollars, and 2,500 dollars in addition, for defraying the expences attendant on drawing the Lottery. Citizens of the first respectability have been selected as trustees, and they have pledged themselves to use their utmost exertions to carry it into effect. The scheme has the advantage of giving to each adventurer, a chance for some very large prizes, whilst the proportion of prizes to blanks, is so great as to invite the friends of the intended institution to partake of the lottery, with little risk of their becoming losers. The treasurer of the state is to be appointed to receive the money for the tickets as they are sold, and to pay the amount of the prizes to the fortunate adventurers. It is believed that the above considerations will induce a rapid sale of tickets, and the drawing will commence as soon as a sufficient number shall be sold to authorize it—which it is believed will be on the second Monday in December next.

Richmond, January 31, 1804. tf.

*** TICKETS to be had of Robert Pollard, Dr. John Brockenbrough, jun. Wm. Price, (Reg.) Samuel Pleasants, jun. and William Prichard.

Ten Dollars Reward.

RUN AWAY *from the subscriber, about the 10th of last month, a likely mulatto girl, named*

Charlotte;

about 16 or 17 years of age—5 feet, 5 or 6 inches high—slender made—has a very pleasing countenance when spoken to—her articles of clothing are not recollected, as she took with her a variety. I am inclined to believe that she is harbored about Richmond. Any person delivering the said girl to me, living in the lower end of Hanover, or to Mr. William Meredith, living with Dr. M'Caw in Richmond, or secure her in jail so that I get her again, shall receive the above reward.

John Meredith.

Hanover, March 17, 1804. 3w

Valuable Property.

The subscriber offers for sale, that valuable unimproved

Lot of Ground,

situate on the main street in the city of Richmond, containing about sixty six feet in front and running one hundred feet back, on the cross street leading to the basin of the canal, and immediately opposite to the corner stores now in the occupancy of Messrs. Pickett Pollard and Johnson, and that of Mr. Chas. Spencer. The numerous advantages attending this property needs no comment, its situation being in the centre of business renders it an object for public or private employment, and is perhaps the most eligible in this city for either. Any person desirous of purchasing will be treated with privately on application at any time between this and the first day of May next, and if not sold previous to that day, the same will be offered for sale at public auction, on the fifth day of that month, and the terms thereof made known.

John M'Enery.

Feb. 15th, 1804.

THE Subscriber will receive until the 14th day of next month, at the public manufactory of arms,

PROPOSALS

for furnishing the commonwealth of Virginia, for the Cavalry thereof, Six Hundred pair of HOLSTERS, and Six Hundred SWORD BELTS.

He will also receive, until the above date, Proposals for erecting a HOUSE in the city of Richmond, for the preservation of public Ordnance.

JOHN CLAKE.

March 20th, 1804. t14May

RAN-AWAY some time the last winter, a Negro Man named DAVEY, belonging to the estate of Christopher Robinson, dec. He is a small dark fellow, with a thin visage, about sixty years of age; he was hired out the beginning of the year, and in a short time left his master. It is understood that he followed his wife, who had just before been removed from Gloucester to the plantation of Warner Washington, Esq. in Frederick, by Miss Mildred Rootes, to whom she belonged. The wife's name is Nemino. It is supposed the fellow is still near her, wherever she may now be. I will give TEN DOLLARS, in addition to what the law allows, to any person who will deliver him to me in Gloucester, or half that sum to have him secured in jail, so that I recover him. I warn all persons not to employ him in any manner, nor suffer him to remain on their plantations.

Wm. CUSTIS, Executor of C. Robinson.

Gloucester, Highgate, Jan. 16, 1804. 5tp

N. B. It is understood that he has obtained a pass. Whose name is to it, is not known. It is requested when he is apprehended, that the pass may be secured and delivered with him. W. C.

Sports of the Turf.

THE Jockey Club Purse Races at Powatan Courthouse, will begin on Thursday the 19th of April next, three mile heats, the first day, supposed to be about £100. The 2d day, two mile heats, half the sum of the first. There will remain open a sweepstakes for three years old colts and fillies until the 18th April, 100 dollars each, half forfeit, 4 subscribers or no race; to be run for the day after the Jockey Club Races.

Powhatan, March 1st, 1804. w5t.

The proprietor of the Turf,

Presents his respectful compliments to all the admirers of this facinating sport; and assures them, that he is prepared to afford every kind of accommodation that can be expected on such an occasion. His stables are numerous and well provided.

In the field, he has a Gallery erected, on the highest part of the ground, eighty feet long, where the *Racers* may be seen on every part of the ground. In this Gallery, DINNER will be set, and for those only who chose to dine.

☞ Tickets of admittance to the Gallery will be furnished in the bar below, at one Dollar.

Fairfield Races.

ON *Monday the 30th of next month, will be run for, over the Fairfield course, a*

SWEEPSTAKE,

for Colts four years old—two mile heats. Five colts are entered at 300 dollars each, and the subscription closed—Weights agreeably to the rules of the Jockey Club.

On the same day the "FAIRFIELD JOCKEY CLUB CUP" *will be run for—two mile heats—free for all ages. The horses to be bona fide the property of members of the club.*

On Tuesday the 1st day of May, the Jockey Club Purse of 400 dollars will be run for—four mile heats

On Wednesday, the purse of the proprietor of the course—three mile heats. Weights as follow:

Aged horses—133 *lbs.*
6 years old—128 *do.*
5 years old—118 *do.*
4 years old—106 *do.*
3 years old—90 *do.*

Mares and geldings allowed three pounds.

The Treasurer takes this opportunity of reminding delinquent members, of the necessity of forwarding the amount of their subscriptions, previously to the commencement of the races. tre

March 23, 1804.

Valuable Property

FOR SALE.

THE corner BRICK TENEMENT in this city, in the occupation of Messrs. Ellis and Allan, Judah, and others, forming three stores, with cellars and accommodations for their families—also, three kitchens attached to it, with all the other appendages.

Mr. John F. Price will shew the boundaries of the land—also the various conveniencies. This situation for mercantile business so far recommends itself, that any farther description, or comment upon it, is thought unnecessary. Those who are disposed to purchase, will be pleased to make application to the subscriber, between this and the 20th of next month; and if not sold at that date at private sale, it will be offered at public sale, for ready money. Should the subscriber be absent a few days in the mean time, Jos. Gallego or Jos. Scott, Esquires, or either of them, will have adequate powers to conclude an agreement, which will be duly confirmed and ratified by DAVID ROSS.

Richmond, March 20th, 1804. tAp.10

Richmond James River Company.

THE Richmond James River Company want to HIRE TWENTY NEGRO MEN for the balance of the year, and to employ an OVERSEER to take the management of them. None need apply but such as come well recommended for respectability of character and capacity for the trust.

They would purchase eight or ten likely young Negro Men or Lads, of good character, and give a liberal price in cash.

ROBERT POLLARD

Richmond, March 29, 1804 3w.

WE are desirous of hiring 20 likely NEGRO FELLOWS and BOYS, to be employed in the coal business at our works in the county of Goochland, for which liberal prices will be given.—We will likewise make contracts for raising from one to three hundred thousand bushels of coal during the present year.

JOHN ADAMS.
SAMUEL G. ADAMS.

March 20th, 1804. 2w.

Lost or Mislaid.

THE following Certificate of navy stock of the United States, standing on the books of John Hopkins, Esq. Commissioner of Loans, has been lost or mislaid, viz.

No. 53, dated 29th October, 1790. Navy
6 per cent. Stock, 100 dollars.

Which certificate is signed by John Hopkins, commissioner of loans, state of Virginia. Notice is hereby given, that application will be made for a renewal of the above certificate agreeable to law. Any person who can give the information of the said certificate, shall be generously rewarded.

JAMES CURRIE.

Richmond, March 20, 1804.

ARCHDUKE.

LATELY imported from London, was got by Sir Peter Teazle, (the first Stallion now in England) his dam Horatia by Old Eclipse, (undoubtedly the first Stallion of his day) his grandam Countess by Blank, a famous son of the Godolphin Arabian, with many other excellent crosses. A horse of better blood than ARCHDUKE was never raised: He is full brother to Mr. Teazle and Stamford, both in high repute, and so are the whole flock. Countess, (his grandam) has bred some of the best horses that have appeared on the British turf. She is the dam of Vizard, Cobscar, Achilles, Greybeard, Horatia and Delpini—all capital. This is well known to every gentleman acquainted with the Racing Callenders and General Stud Book of England. ARCHDUKE is a dark brown horse, full 16 hands high, has a deal of bone with great powers, a good share of beauty, and in the prime of life. He made his appearance on the turf at three years old, and did not run after that year. He won a Sweepstakes of 100 Guineas each, beating several good horses; also the Derby Stakes, beating Lord Egremont's Gisiebert, Sir F. Standish's brother to Spread Eagle, Mr. Heathcote's Vivaldi, Mr. Cookson's Expectation, the Duke of Grafton's Vandal, Lord Oxford's Dart, (now his Lordship) Lord Grosvenor's colt by Potso's out of Sulpton's sister, and several other very fine colts. The Derby Stakes are considered the first in England, and gives the winner great credit. He fell lame shortly after and was fired, run two races more with very good horses, and altho' he was beaten, he came in well. The above is the whole of his racing.

ARCHDUKE will stand the ensuing season at the Bowling Green, at SEVEN GUINEAS (with a Dollar to the groom) for each mare; which may be discharged, any time before the first day of August next, by the payment of FIVE GUINEAS. The season will commence on the first day of March next, and end the first of August following. A great abundance of good pasturage, *gratis*—boys boarded at 10s6 per week, and corn furnished at the market price for mares that are to be fed, for which the money must be sent, or it will not be had. Great attention paid the mares; but no responsibility for accidents or escapes. Notes for Seven Guineas, to be discharged as above mentioned, must accompany the mares.

ESCAPE,

IMPORTED from London, will also stand at the Bowling Green, at Three GUINEAS (and a half a Dollar) for each mare.—He is a horse of fine size, with several excellent racing points, and as high bred a horse as need be wished for. He was got by Precipitate, a horse of great repute, out of a full sister to the famous Stallion Buzzard. ESCAPE was a horse of good speed, for which see the Racing Callendars.

JOHN HOOMES.

Bowling Green, February 22d, 1804. 12awlowks:

P. S. Mares producing a certificate of their having won a purse or sweepstake of 200 dollars value, 4 mile heats, or bred the winner of one, shall be covered gratis. J. H.

The celebrated English Stallion

DRAGON,

Late the property of his Grace the Duke of Bedford, and sire of Speculator, Tarantula, Jenny Spinner, Creeper, Phenix, Hospitality, &c. will stand the ensuing season near Farmville, at Ten Guineas, and a Dollar to the Groom for each Mare. The season will commence the first day of March next, and end the first of August following. Extensive pasturage, of superior quality, will be furnished GRATIS, and the greatest attention paid, but no responsibility for accidents or escapes. The money will be expected for the season of such mares, as are pastured, before they are removed, and notes sent with those that are not to be left with the horse, payable the first of August next. Apply to

RICHARD KNOWLES,
Agent for
JOHN RANDOLPH.

Bizarre, January 18, 1804.

P. S. Farmville is 8 miles below Prince Edward courthouse, and 35 from Carterville. Mares fed, if required.